

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JOHN DOE,

Plaintiff,

v.

NEW YORK UNIVERSITY,

Defendant.

Case No.: 1:20-cv-01343(GHW)

**DEFENDANT’S RESPONSES AND OBJECTIONS  
TO PLAINTIFF’S FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS**

Defendant New York University (“NYU” or “Defendant”), by and through its attorneys, Pillsbury Winthrop Shaw Pittman LLP, hereby serve the following responses and objections (the “Responses”) to Plaintiff’s First Request for the Production of Documents (the “Requests”).

**GENERAL OBJECTIONS AND RESERVATION OF RIGHTS**

1. Defendant objects to the Requests to the extent that they expand the scope of discovery and Defendant’s obligations as set forth in the Federal Rules of Civil Procedure and applicable Local Rules. Defendant will comply with the Federal Rules of Civil Procedure and applicable Local Rules.

2. Defendant objects to the Requests to the extent they are overly broad, unduly burdensome, ambiguous, duplicative, or cumulative. To the extent that any Request seeks “all documents” or “all communications,” such Request is overly broad and unduly burdensome.

3. Defendant objects to the Requests to the extent they seek documents or information that are not “proportional to the needs of the case” within the meaning of Federal Rule of Civil Procedure 26(b)(1).

4. Defendant objects to the Requests to the extent they seek information or documents which are available from public sources or are in Plaintiff's possession, custody or control.

5. Defendant objects to the overbroad temporal scope of the Requests.

6. Defendant objects to the Requests to the extent they call for the production of electronically stored information ("ESI") that is not "reasonably accessible" within the meaning of Federal Rule of Civil Procedure 26(b)(2)(B). Defendant objects to the Requests to the extent they call for Defendant to search, restore, or produce electronically stored information that is stored on backup tapes and/or other archived electronic media; decommissioned computers, servers or hard drives; data requiring customized programming to extract from databases or that would adversely impact system usage; and deleted and overwritten data. Such information is more likely than not to be cumulative, duplicative, and minimally responsive, and the costs and burden of recovering, processing, searching, and reviewing such files and locations would be unduly burdensome.

7. Defendant objects to the Requests to the extent that they call for information protected by the attorney-client privilege, the common interest privilege, the attorney work-product doctrine, the Health Information Portability and Accountability Act ("HIPAA"), the Family Educational Rights and Privacy Act ("FERPA"), or any other applicable privilege or immunity (collectively "Protected Information"). Such Protected Information will not be knowingly disclosed, and any such disclosure is inadvertent. Production of any documents or materials as to which a privilege or protection could be asserted shall not constitute a waiver of any claim of privilege or protection that Plaintiff may have as to any other documents or materials.

8. These Responses are conditioned upon, and the material produced pursuant to these Responses will be produced pursuant to the parties stipulating to and/or the Court ordering suitable

protections for (a) the confidentiality of private and proprietary information; (b) the secure handling of discovery materials; (c) the non-waiver of privilege and other protections through inadvertent disclosure; (d) the right of clawback; (e) a standardized format for the production of ESI.

9. Defendant objects to the definition of “Document” or “Documents” in the Requests as overly broad and unduly burdensome to the extent it is inconsistent with or exceeds the scope of discovery permitted by the Federal Rules of Civil Procedure and Local Rule 26.3.

10. Defendant objects to the definition of “Communication” in the Requests as overly broad and unduly burdensome to the extent it is inconsistent with or exceeds the scope of discovery permitted by the Federal Rules of Civil Procedure and Local Rule 26.3.

11. Defendant objects to the definition of “possession,” “custody” or “control” in the Requests to the extent it includes documents or information in the possession, custody, or control of NYU’s attorneys insofar as such documents or information would be protected by attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection.

12. Defendant objects to the Requests to the extent they purport to require Defendant to search and produce information or documents that are not within Defendant’s possession, custody, or control. Defendant objects to the extent that any Request purports to ask NYU to search for documents and communications in the control of former employees. NYU cannot search for documents and communications in the control of former employees.

13. By responding to any specific request, Defendant is not representing that any documents exist.

14. Discovery in this matter is ongoing and Defendant’s Responses are based on the information reasonably available to NYU at this time. NYU expressly reserves the right to amend,

revise, correct, add to, supplement, or clarify any of these Responses at any time, but NYU undertakes no obligation to supplement or correct these Responses other than as required under Federal Rule of Civil Procedure 26(e)(1). NYU further reserves the right to use, produce, or rely on information, facts, documents, or other evidence that subsequently develops, is discovered, or is determined to be relevant for any purpose.

15. The following Specific Responses and Objections fully incorporate, and are subject to and without waiver of, the foregoing General Objections and Reservation of Rights.

### **SPECIFIC RESPONSES AND OBJECTIONS**

#### **Request No. 1:**

Copies of all documents identified in NYU's response to Plaintiff's First Set of Interrogatories.

#### **Response to Request No. 1:**

Subject to and without waiving the General Objections, Defendant will produce responsive, non-privileged documents in NYU's possession, custody, or control identified in NYU's response to Plaintiff's First Set of Interrogatories that can be located after a reasonable search.

#### **Request No. 2:**

Copies of all communications identified in NYU's response to Plaintiff's First Set of Interrogatories.

#### **Response to Request No. 2:**

Subject to and without waiving its General Objections, Defendant will produce responsive, non-privileged communications in NYU's possession, custody, or control identified in NYU's response to Plaintiff's First Set of Interrogatories that can be located after a reasonable search.

#### **Request No. 3:**

Copies of all documents identified in NYU's Rule 26 Initial Disclosures.

**Response to Request No. 3:**

NYU objects to this Request as unduly burdensome and overly broad to the extent it calls for documents that are equally or more readily available to Plaintiff. Subject to and without waiving the foregoing objections and its General Objections, Defendant will produce responsive, non-privileged documents in NYU's possession, custody, or control that it will use to support its claims or defenses.

**Request No. 4:**

Copies of all communications identified in NYU's Rule 26 Initial Disclosures.

**Response to Request No. 4:**

NYU objects to this Request as unduly burdensome and overly broad to the extent it calls for documents that are equally or more readily available to Plaintiff. Subject to and without waiving the foregoing objections and its General Objections, Defendant will produce responsive, non-privileged documents in NYU's possession, custody, or control that it will use to support its claims or defenses.

**Request No. 5:**

Complete copies of all insurance agreements of which NYU is a beneficiary and under which an insurance company may be liable to satisfy all or part of a possible judgment in this action or to indemnify or reimburse NYU for payments made to satisfy a possible judgment in this matter, including, but not limited to, the insurance policy referenced in NYU's Rule 26 Initial Disclosures.

**Response to Request No. 5:**

NYU objects to this Request to the extent it requests documents already produced in NYU's Rule 26 Initial Disclosures and refers Plaintiff to the attachments included therein. NYU further objects to this Request to the extent it calls for confidential business information. Subject to and without waiving the foregoing objections and its General Objections, Defendant will

produce any responsive copies of insurance agreements, if any, that have not already been produced, subject to a confidentiality agreement between the parties.

**Request No. 6:**

All directory information (as defined in FERPA), including, without limitation, full name, address, e-mail address, telephone listing, photograph, date and place of birth, major field of study, participation in college activities and sports, dates of attendance, degrees and awards received, most recent previous educational institution attended, grade level and enrollment status for the following NYU students:

- a. Supriya Khanna
- b. Supriya Khan

**Response to Request No. 6:**

NYU objects to this Request to the extent it calls for Protected Information. Subject to and without waiving the foregoing objection and its General Objections, NYU responds that it does not possess documents responsive to this Request.

**Request No. 7:**

All documents and communications referring to the number and nature of Sexual Misconduct, Relationship Violence, and Stalking Policy violations reported to NYU from January 1, 2011 to present.

**Response to Request No. 7:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks “all documents and communications” and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff’s needs in this litigation. This Request is not reasonably limited in scope in relation to the subject matter of this case and calls for irrelevant information that would be unduly burdensome to produce. NYU further objects to this Request as overly broad, vague, and ambiguous insofar as NYU’s Sexual Misconduct, Relationship Violence and Stalking Policy was not adopted until September 30, 2014, in a form substantially similar to the current policy, and has subsequently been amended several times.

Subject to and without waiving the foregoing objections and the General Objections, NYU will produce responsive, non-privileged reports or similar summary documents that show the number and nature of Sexual Misconduct, Relationship Violence, and Stalking Policy violations reported to NYU from September 30, 2014 to present, to the extent such documents are in NYU's possession, custody or control and can be located after a reasonable search, subject to a confidentiality agreement between the parties.

**Request No. 8:**

For the reports identified in response to Item 7, all documents and communications referring to the number of cases adjudicated by a Title IX adjudicator in each year from January 1, 2011 to present.

**Response to Request No. 8:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. This Request is not reasonably limited in scope in relation to the subject matter of this case and calls for irrelevant information that would be unduly burdensome to produce. NYU further objects to this Request because the undefined term "Title IX adjudicator" is vague and ambiguous to the extent it has different meanings under different iterations of NYU's Sexual Misconduct, Relationship Violence and Stalking Policy.

Subject to and without waiving the foregoing objections and the General Objections, NYU will produce responsive, non-privileged reports or similar summary documents that show the number of cases adjudicated by a Title IX adjudicator in each year from September 30, 2014 to present, to the extent such documents are in NYU's possession, custody or control and can be located after a reasonable search, subject to a confidentiality agreement between the parties.

**Request No. 9:**

For the reports identified in response to Item 7, all documents and communications referring to the number of students found responsible and the types of sanctions levied in each year from January 1, 2011 to present.

**Response to Request No. 9:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks “all documents and communications” and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff’s needs in this litigation. This Request is not reasonably limited in scope in relation to the subject matter of this case and calls for irrelevant information that would be unduly burdensome to produce.

Subject to and without waiving the foregoing objections and the General Objections, NYU will produce responsive, non-privileged reports or similar summary documents that show the number of students found responsible and the types of sanctions levied in each year from September 30, 2014 to present, to the extent such documents are in NYU’s possession, custody or control and can be located after a reasonable search, subject to a confidentiality agreement between the parties.

**Request No. 10:**

For the reports identified in response to Item 7, all documents and communications referring to the gender of the complainant and respondent in each year from January 1, 2011 to present.

**Response to Request No. 10:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks “all documents and communications” and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff’s needs in this litigation. This Request is not reasonably limited in scope in relation to the subject matter of this case and calls for irrelevant information that would be unduly burdensome to produce.



Subject to and without waiving the foregoing objections and the General Objections, NYU will produce responsive, non-privileged reports or similar summary documents that show the gender of the complainant and respondent in each year from September 30, 2014 to present, to the extent such documents exist and are in NYU's possession, custody or control that can be located after a reasonable search, subject to a confidentiality agreement between the parties.

**Request No. 11:**

For the reports identified in response to Item 7, all documents and communications referring to the number of female students found responsible for violations of the Sexual Misconduct, Relationship Violence, and Stalking Policy, including the sanctions levied in each year from January 1, 2011 to present.

**Response to Request No. 11:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. This Request is not reasonably limited in scope in relation to the subject matter of this case and calls for irrelevant information that would be unduly burdensome to produce.

Subject to and without waiving the foregoing objections and the General Objections, NYU will produce responsive, non-privileged reports or similar summary documents that show the number of female students found responsible for violations of the Sexual Misconduct, Relationship Violence, and Stalking Policy, including the sanctions levied in each year from September 30, 2014 to present, to the extent such documents are in NYU's possession, custody or control and can be located after a reasonable search, subject to a confidentiality agreement between the parties.

**Request No. 12:**

All annual security reports containing campus crime statistics for NYU pursuant to the Jeanne Clery Act, 20 U.S.C.A. § 1092(f), from January 1, 2011 to present.

**Response to Request No. 12:**

NYU objects to this Request because it is not reasonably limited in scope in relation to the subject matter of this case and calls for irrelevant information that would be unduly burdensome to produce. NYU further objects to this Request to the extent it calls for documents and information available from public sources.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive documents to this Request that are within its possession, custody, or control and can be located after a reasonable search.

**Request No. 13:**

NYU's Daily Crime Log for October 2016.

**Response to Request No. 13:**

NYU objects to this Request because it is not reasonably limited in scope in relation to the subject matter of this case and calls for irrelevant information that would be unduly burdensome to produce.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive documents to this Request that are within its possession, custody, or control and can be located after a reasonable search.

**Request No. 14:**

NYU's Daily Crime Log for September 2016.

**Response to Request No. 14:**

NYU objects to this Request because it is not reasonably limited in scope in relation to the subject matter of this case and calls for irrelevant information that would be unduly burdensome to produce.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive documents to this Request that are within its possession, custody, or control and can be located after a reasonable search.

**Request No. 15:**

All audio and/or video recordings of Plaintiff's hearing held on December 10, 2018.

**Response to Request No. 15:**

Subject to and without waiving its General Objections, NYU will produce documents responsive to this Request that are within its possession, custody, or control and can be located after a reasonable search.

**Request No. 16:**

All transcripts of Plaintiff's hearing held on December 10, 2018.

**Response to Request No. 16:**

Subject to and without waiving the foregoing objections and the General Objections, NYU responds that it does not have any documents in its possession, custody, or control that are responsive to this request.

**Request No. 17:**

All documents and communications authored by or received by Craig Jolley which relate or refer to Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 17:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 18:**

All documents and communications authored by or received by Allen McFarlane, which relate or refer to Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 18:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 19:**

All documents and communications authored by or received by Mary Signor which relate or refer to Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 19:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the

extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 20:**

All documents and communications authored by or received by Samuel Hodge which relate or refer to Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 20:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 21:**

All documents and communications authored by or received by Colleen Maeder which relate or refer to Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 21:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this

Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 22:**

All documents and communications authored by or received by Lauren Stahl which relate or refer to Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 22:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 23:**

All documents and communications authored by or received by Christopher Bledsoe which relate or refer to Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 23:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither

relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 24:**

All documents and communications authored by or received by Thomas Ellett which relate or refer to Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 24:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 25:**

All documents and communications authored by or received by Leah Lattimore which relate or refer to Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 25:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks “all documents and communications” and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff’s needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU’s possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU’s possession, custody or control that can be located after a reasonable search.

**Request No. 26:**

All documents and communications authored by or received by Christine Janick which relate or refer to Jane Doe’s disciplinary complaint against Plaintiff.

**Response to Request No. 26:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks “all documents and communications” and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff’s needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU’s possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU’s possession, custody or control that can be located after a reasonable search.



**Request No. 27:**

All documents and communications authored by or received by Craig Jolley which relate or refer to Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 27:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 28:**

All documents and communications authored by or received by Allen McFarlane which relate or refer to Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 28:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 29:**

All documents and communications authored by or received by Mary Signor which relate or refer to Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 29:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 30:**

All documents and communications authored by or received by Samuel Hodge which relate or refer to Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 30:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the

extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 31:**

All documents and communications authored by or received by Colleen Maeder which relate or refer to Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 31:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 32:**

All documents and communications authored by or received by Lauren Stahl which relate or refer to Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 32:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this

Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 33:**

All documents and communications authored by or received by Christopher Bledsoe which relate or refer to Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 33:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 34:**

All documents and communications authored by or received by Thomas Ellett which relate or refer to Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 34:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks “all documents and communications” and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff’s needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU’s possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU’s possession, custody or control that can be located after a reasonable search.

**Request No. 35:**

All documents and communications authored by or received by Leah Lattimore which relate or refer to Plaintiff’s disciplinary complaint against Jane Doe.

**Response to Request No. 35:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks “all documents and communications” and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff’s needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU’s possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU’s possession, custody or control that can be located after a reasonable search.

**Request No. 36:**

All documents and communications authored by or received by Christine Janick which relate or refer to Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 36:**

NYU objects to this Request as unduly burdensome and overly broad to the extent that it seeks "all documents and communications" and to the extent that the documents are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody or control or is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 37:**

All documents and communications authored by or received by any other NYU employee, excluding the employees/former employees listed above, that relate to or refer to Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 37:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control.

**Request No. 38:**

All documents and communications authored by or received by any other NYU employee, excluding the employees/former employees listed above, that relate to or refer to Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 38:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control.

**Request No. 39:**

All evidence including, but not limited to, all documents and communications, collected in relation to Jane Doe's disciplinary complaint against Plaintiff, whether relied upon by NYU or not in reaching any disciplinary decision.

**Response to Request No. 39:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 40:**

All evidence including, but not limited to, all documents and communications, collected in relation to Plaintiff's disciplinary complaint against Jane Doe, whether relied upon by NYU or not in reaching any disciplinary decision.

**Response to Request No. 40:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 41:**

All documents and communications relied upon by Craig Jolley to arrive at the December 18, 2017 finding that Plaintiff was "responsible" for Sexual Exploitation.

**Response to Request No. 41:**

NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 42:**

All documents and communications relied upon by Craig Jolley to arrive at the December 18, 2017 finding that Plaintiff was "responsible" for Sexual Harassment, Stalking, and Violation of the No-Contact Directive.



**Response to Request No. 42:**

NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 43:**

All documents and communications relied upon by Craig Jolley to arrive at the December 18, 2017 finding that Plaintiff was "not responsible" for Non-Consensual Sexual Contact.

**Response to Request No. 43:**

NYU objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 44:**

All documents and communications authored by or on behalf of Jane Doe which relate or refer to Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 44:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents and communications in NYU's possession, custody or control that Jane Doe provided to NYU in connection with her disciplinary complaint against Plaintiff that can be located after a reasonable search.

**Request No. 45:**

All documents and communications authored by or on behalf of Jane Doe which relate or refer to Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 45:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents and communications in NYU's possession, custody or control that Jane Doe provided to NYU in connection with Plaintiff's disciplinary complaint against her that can be located after a reasonable search.

**Request No. 46:**

All documents and communications relating or referring to all witnesses interviewed during NYU's investigation of Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 46:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody, or control, subject to a confidentiality agreement between the parties, relating to NYU's investigation of Jane Doe's disciplinary complaint against Plaintiff, including documents relating to all witnesses interviewed during NYU's investigation of Jane Doe's disciplinary complaint against Plaintiff and their communications with NYU relating to NYU's investigation of Jane Doe's disciplinary complaint against Plaintiff that can be located after a reasonable search and are not Protected Information.

**Request No. 47:**

All documents and communications relating or referring to all witnesses interviewed during NYU's investigation of Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 47:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody, or control, subject to a confidentiality agreement between the parties, relating to NYU's investigation of Plaintiff's disciplinary complaint against Jane Doe, including documents relating to all witnesses interviewed during NYU's investigation of Plaintiff's disciplinary complaint against Jane Doe and their communications with NYU relating to NYU's investigation of Plaintiff's disciplinary

complaint against Jane Doe that can be located after a reasonable search and are not Protected Information.

**Request No. 48:**

All documents and communications relating or referring to all witness interviews conducted during NYU's investigation of Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 48:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody, or control, subject to a confidentiality agreement between the parties, relating to NYU's investigation of Jane Doe's disciplinary complaint against Plaintiff, including documents relating to all witnesses interviewed during NYU's investigation of Jane Doe's disciplinary complaint against Plaintiff and their communications with NYU relating to NYU's investigation of Jane Doe's disciplinary complaint against Plaintiff that can be located after a reasonable search and are not Protected Information.

**Request No. 49:**

All documents and communications relating or referring to all witness interviews conducted during NYU's investigation of Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 49:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody, or control, subject to a confidentiality agreement, relating to NYU's investigation of Plaintiff's disciplinary complaint against Jane Doe, including documents relating to all witnesses interviewed during NYU's investigation of Plaintiff's disciplinary complaint against Jane Doe and their communications with NYU relating to NYU's investigation of Plaintiff's disciplinary complaint against Jane Doe that can be located after a reasonable search and are not Protected Information.

**Request No. 50:**

All documents and communications that formed the basis of Craig Jolley's determination of Jane Doe's credibility.

**Response to Request No. 50:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that were considered by Craig Jolley in reaching his decision regarding the disciplinary complaint Jane Doe filed against Plaintiff that can be located after a reasonable search.

**Request No. 51:**

All documents and communications that formed the basis of Craig Jolley's determination of Plaintiff's credibility.

**Response to Request No. 51:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that were considered by Craig Jolley in reaching his decision regarding the disciplinary complaint Jane Doe filed against Plaintiff that can be located after a reasonable search.

**Request No. 52:**

All documents and communications relied upon by NYU in determining the Sanctions issued to Plaintiff.

**Response to Request No. 52:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU

further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 53:**

All documents and communications relied upon by NYU in drafting the Sexual Misconduct Hearing Summary and Decision.

**Response to Request No. 53:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that were relied upon by NYU in drafting the Hearing Summary and Decision regarding Plaintiff, that can be located after a reasonable search.

**Request No. 54:**

All documents and communications related or referring to Plaintiff's Appeal of the Sexual Misconduct Summary and Decision.

**Response to Request No. 54:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 55:**

All documents and communications authored by or received by the Appellate Panel members which relate or refer to Jane Doe's disciplinary complaint against Plaintiff.

**Response to Request No. 55:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.



**Request No. 56:**

All documents and communications authored by or received by the Appellate Panel members which relate or refer to Plaintiff's disciplinary complaint against Jane Doe.

**Response to Request No. 56:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 57:**

All documents and communications relied upon by the Appellate Panel in deciding Plaintiff's Appeal.

**Response to Request No. 57:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 58:**

All documents and communications relating or referring to the Appellate Panel's determination of Plaintiff's Appeal.

**Response to Request No. 58:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 59:**

All documents and communications related to NYU's Title IX training from January 1, 2011 to present.

**Response to Request No. 59:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other

requests. NYU further objects to this Request to the extent it calls for confidential or proprietary information.

**Request No. 60:**

All Title IX training materials utilized to instruct NYU faculty members, staff, and other employees from January 1, 2011 to present.

**Response to Request No. 60:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests. NYU further objects to this Request to the extent it calls for confidential or proprietary information.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search subject to a confidentiality agreement between the parties.

**Request No. 61:**

All documents and communications related to Title IX training provided to Craig Jolley prior to December 10, 2018.

**Response to Request No. 61:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other

requests. NYU further objects to this Request to the extent it calls for confidential or proprietary information.

Subject to and without waiving the foregoing objections or the General Objections, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search subject to a confidentiality agreement between the parties.

**Request No. 62:**

All documents and communications related to Title IX complaints made by Jane Doe other than the disciplinary complaint that Jane Doe made against Plaintiff.

**Response to Request No. 62:**

NYU objects to this Request as unduly burdensome and overly broad insofar as it requests documents that are neither relevant to this action nor proportional to Plaintiff's needs in this litigation. NYU further objects to this Request to the extent it seeks Protected Information. NYU further objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control.

**Request No. 63:**

Plaintiff's academic transcript.

**Response to Request No. 63:**

NYU objects to this Request to the extent it seeks documents in Plaintiff's possession, custody, or control.

Subject to and without waiving the foregoing objections and General Objections, Defendant will produce Plaintiff's academic transcript.

**Request No. 64:**

All receipts for tuition fees paid by Plaintiff.

**Response to Request No. 64:**

NYU objects to this Request to the extent it seeks documents in Plaintiff's possession, custody, or control.

Subject to and without waiving the foregoing objections and General Objections, Defendant will produce documents that are within NYU's possession, custody, or control that reflect the tuition fees paid by Plaintiff and that can be located after a reasonable search.

**Request No. 65:**

All documents and communications that will be used to support NYU's First Affirmative Defense.

**Response to Request No. 65:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests. NYU further objects to this Request on the grounds it is premature.

Subject to and without waiving the foregoing objections or the General Objections, based on its ongoing investigation to date, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 66:**

All documents and communications that will be used to support NYU's Second Affirmative Defense.

**Response to Request No. 66:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests. NYU further objects to this Request on the grounds it is premature.

Subject to and without waiving the foregoing objections or the General Objections, based on its ongoing investigation to date, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 67:**

All documents and communications that will be used to support NYU's Third Affirmative Defense.

**Response to Request No. 67:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests. NYU further objects to this Request on the grounds it is premature.

Subject to and without waiving the foregoing objections or the General Objections, based on its ongoing investigation to date, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 68:**

All documents and communications that will be used to support NYU's Fourth Affirmative Defense.

**Response to Request No. 68:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests. NYU further objects to this Request on the grounds it is premature.

Subject to and without waiving the foregoing objections or the General Objections, based on its ongoing investigation to date, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 69:**

All documents and communications that will be used to support NYU's Fifth Affirmative Defense.

**Response to Request No. 69:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests. NYU further objects to this Request on the grounds it is premature.

Subject to and without waiving the foregoing objections or the General Objections, based on its ongoing investigation to date, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 70:**

All documents and communications that will be used to support NYU's Sixth Affirmative Defense.

**Response to Request No. 70:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests. NYU further objects to this Request on the grounds it is premature.

Subject to and without waiving the foregoing objections or the General Objections, based on its ongoing investigation to date, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 71:**

All documents and communications that will be used to support NYU's Seventh Affirmative Defense.

**Response to Request No. 71:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests. NYU further objects to this Request on the grounds it is premature.

Subject to and without waiving the foregoing objections or the General Objections, based on its ongoing investigation to date, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 72:**

All documents and communications that will be used to support NYU's Eight Affirmative Defense.

**Response to Request No. 72:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests. NYU further objects to this Request on the grounds it is premature.

Subject to and without waiving the foregoing objections or the General Objections, based on its ongoing investigation to date, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 73:**

All documents and communications that will be used to support NYU's Ninth Affirmative Defense.

**Response to Request No. 73:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests. NYU further objects to this Request on the grounds it is premature.



Subject to and without waiving the foregoing objections or the General Objections, based on its ongoing investigation to date, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 74:**

All documents and communications that will be used to support NYU's Tenth Affirmative Defense.

**Response to Request No. 74:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests. NYU further objects to this Request on the grounds it is premature.

Subject to and without waiving the foregoing objections or the General Objections, based on its ongoing investigation to date, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 75:**

All documents and communications that will be used to support NYU's Eleventh Affirmative Defense.

**Response to Request No. 75:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests. NYU further objects to this Request on the grounds it is premature.

Subject to and without waiving the foregoing objections or the General Objections, based on its ongoing investigation to date, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

**Request No. 76:**

All documents and communications that will be used to support NYU's Twelfth Affirmative Defense.

**Response to Request No. 76:**

NYU objects to this Request to the extent it requests documents outside of NYU's possession, custody, or control. NYU further objects to this Request to the extent it is duplicative of other requests. NYU further objects to this Request on the grounds it is premature.

Subject to and without waiving the foregoing objections or the General Objections, based on its ongoing investigation to date, NYU will produce responsive, non-privileged documents in NYU's possession, custody or control that can be located after a reasonable search.

Dated: July 16, 2021

**PILLSBURY WINTHROP SHAW PITTMAN LLP**

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